

1
2 UNITED STATES DISTRICT COURT
3 DISTRICT OF NEVADA

4 Robert Johnson,

5 Plaintiff

6 v.

7 Barclay Damon LLP,

8 Defendant

Case No. 2:24-cv-01576-CDS-EJY

Order Adopting Magistrate Judge's Report
and Recommendation and Closing Case

[ECF No. 3]

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10 On September 3, 2024, Magistrate Judge Elayna Youchah issued a report and
11 recommendation ("R&R") recommending that I dismiss plaintiff Robert Johnson's application
12 to proceed *in forma pauperis* (ECF No. 1) and dismiss with prejudice Johnson's claims against
13 defendant Barclay Damon LLP for lack of personal jurisdiction. R&R, ECF No. 3. Johnson had
14 until September 17, 2024, to file any objections to the R&R. *Id.* at 4 (citing LR IB 3-2(a) (stating
15 that parties wishing to object to an R&R must file objections within fourteen days)); *see also* 28
16 U.S.C. § 636(b)(1)(C) (same). As of the date of this order, Johnson has neither objected to the
17 R&R nor requested more time to do so. "[N]o review is required of a magistrate judge's report
18 and recommendation unless objections are filed." *Schmidt v. Johnstone*, 263 F. Supp. 2d 1219, 1226
19 (D. Ariz. 2003); *see also Thomas v. Arn*, 474 U.S. 140, 150 (1985); *United States v. Reyna-Tapia*, 328 F.3d
20 1114, 1121 (9th Cir. 2003). As no objections have been filed, I adopt the R&R in full and dismiss
21 this action with prejudice.

22 Pro se litigants should be given leave to amend unless it is absolutely clear that the
23 defective complaint cannot be cured by amendment. *Lucas v. Dep't of Corr.*, 66 F.3d 245, 248 (9th
24 Cir. 1995). Because Johnson does not allege that Barclay Damon LLP has ever purposefully
25 availed itself of doing business within Nevada, there are no grounds to believe that this infirmity
26 could be corrected by granting leave to amend, making amendment futile.

Conclusion

IT IS THEREFORE ORDERED that Judge Youchah's report and recommendation [ECF No. 3] is adopted in its entirety. The action is now dismissed with prejudice. The Clerk of Court is kindly instructed to enter judgment accordingly and to close the case.

Dated: October 7, 2024



Cristina D. Silva
United States District Judge